

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

CITY OF EL CENIZO, <i>et al.</i>	§	
	§	
v.	§	CIVIL ACTION NO. 5:17-CV-00404-OG
	§	
STATE OF TEXAS, <i>et al.</i>	§	

**CONSOLIDATED PLAINTIFFS EL PASO COUNTY, ET AL.’S
ADVISORY TO THE COURT**

Consolidated Plaintiffs El Paso County, Texas Organizing Project Education Fund (“TOPEF”), and MOVE Texas (“MOVE”) (collectively, “Plaintiffs”) respectfully submit this Advisory to the Court regarding a similar case in Florida, *City of S. Miami, et al. v. DeSantis, et al.*, which was filed in the United States District Court for the Southern District of Florida and assigned Case No. 1:19-cv-22927-BB. The plaintiffs in the Florida litigation brought a challenge against Florida Senate Bill 168, a law similar to Texas Senate Bill 4. In the Findings of Fact and Conclusions of Law entered on September 21, 2021, the Honorable United States District Judge Beth Bloom held that the plaintiffs had prevailed on their Equal Protection challenges to the “Best Efforts Provision” and the “Sanctuary Prohibition” of FL SB 168, finding them unconstitutional. *See City of S. Miami v. DeSantis*, No. 19-CV-22927, 2021 WL 4272017, at *52 (S.D. Fla. Sept. 21, 2021), attached as Exhibit A.¹

Dated: January 14, 2022

Respectfully submitted,

¹ Plaintiffs also note that the defendants in the Florida litigation filed a notice of appeal of the September 21, 2021 District Court Order on October 19, 2021, and that plaintiffs in this same litigation filed a notice of cross appeal of the same District Court Order on November 2, 2021.

By: /s/ Emma Hilbert

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CERTIFICATE OF SERVICE

The undersigned counsel hereby certifies that he has electronically submitted a true and correct copy of the foregoing via the Court's electronic filing system on the 14th day of January, 2022, which will serve a copy on all counsel of record.

/s/ Emma Hilbert
Emma Hilbert